

Message Text

UNCLASSIFIED

PAGE 01 TIJUAN 00527 270037Z
ACTION SCS-05

INFO OCT-01 ARA-14 ISO-00 L-03 DHA-05 H-02 CA-01 /031 W
-----037803 270423Z /21

R 262210Z SEP 77
FM AMCONSUL TIJUANA
TO SECSTATE WASHDC 2070
INFO AMEMBASSY MEXICO

UNCLAS TIJUANA 0527

E.O. 11652: N/A
TAGS: CASC MX
SUBJ: ARRESTS: REPORT TO CONGRESS: PL 94329

REF: (A) STATE 212651 AND 103491; (B) MEXICO 09337 AND 1159

1. FOLLOWING IS STATISTICAL ANALYSIS OF ARREST CASES OCCURRING
IN TIJUANA CONSULAR DISTRICT BETWEEN MAY 16, 1977 AND SEPTEMBER
15, 1977.

A) TOTAL NUMBER OF AMERICANS ARRESTED AND REPORTED ON MAY 16 TO
SEPTEMBER 15: FORTY-SEVEN.

B) (1) NOTIFICATION ADEQUATE: 22. (2) NOTIFICATION NOT ADEQUATE:
25. IN EIGHT OF THE CASES OF NON-NOTIFICATION, CONGEN LEARNED OF
ARREST FROM LISTS SUPPLIED BY EMBASSY; NONE OF THE INDIVIDUALS
ATTEMPTED TO CONTACT CONGEN DURING WELL-PUBLICIZED MONTHLY VISITS.
IN SIX OTHER CASES, SUBJECTS ARRESTED IN TIJUANA, ALL WITH SPANISH
SURNAMES, HAD MADE NO PROMPT EFFORT TO CONTACT CONGEN OR INFORM
MEXICAN AUTHORITIES OF THEIR U.S. NATIONALITY. IN ONE CASE IN
ENSENADA, SUBJECT WITH SPANISH SURNAME, MADE NO PROMPT EFFORT MAKE
HIS NATIONALITY KNOWN TO MEXICAN AUTHORITIES OR TO THE CONOFF. OF
THREE CASES OF LACK OF NOTIFICATION IN MEXICALI, FEDERAL DISTRICT
ATTORNEY CLAIMED ONE DUE TO HIS ABSENCE FROM HIS OFFICE. NO
EXPLANATION HAS BEEN GIVEN FOR DELAY IN TWO OTHER CASES IN MEXICA-
LI. FOUR CASES OF LACK OF NOTIFICATION IN TIJUANA HAVE BEEN PRO-
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 TIJUAN 00527 270037Z

TESTED TO SUPERVISOR OF DISTRICT ATTORNEYS. THE REMAINING CASES
OF NON-NOTIFICATION WERE INCONCLUSIVE SINCE SUBJECTS CONTACTED
CONGEN SEVERAL MONTHS AFTER ARREST, POSSESSED SPANISH SURNAMES,
AND HAD NO PROOF THAT THEY HAD TOLD OR PRESENTED EVIDENCE TO
MEXICANS THAT THEY WERE U.S. CITIZENS.

C) CONSULAR REPRESENTATIVES MAKE SCHEDULED VISITS TO LA MESA

STATE PRISON IN TIJUANA, ENSENADA JAIL AND MEXICALI JAIL ONCE EVERY MONTH, WHEN EACH PRISONER HAS OPPORTUNITY TO SPEACK WITH CONOFF IF HE WISHES. DUE TO PROXIMITY, FREQUENT UNSCHEDULED VISITS ALSO ARE MADE TO LA MESA STATE PRISON IN TIJUANA.

D) (1) TOTAL ALLEDGING INNOCENCE: EIGHTEEN (2) CONOFF BELIEVES ONE CASE OF ALLEDGED INNOCENCE MAY BE SUSTAINED (3) NONE (4) SEVENTEEN.

E) (1) TOTAL ALLEDGING ABUSE: THIRTEEN (2) TOTAL WHICH CAN BE SUSTAINED: *FOUR (3) TOTAL WHICH CANNOT BE SUSTAINED: NONE (4) TOTAL ON WHICH NO CONCLUSION CAN BE REACHED: NINE. THOSE WHICH APPEAR TO BE SUSTAINED HAVE BEEN PROTESTED TO SUPERVISOR OF FEDERAL DISTRICT ATTORNEYS.

F) (1) ALLEDGED CONFISCATION OF PROPERTY: TWELVE (2) TOTAL WHICH CAN BE SUSTAINED: SIX (3) TOTAL WHICH CANNOT BE SUSTAINED: NONE (4) TOTAL ON WHICH NO CONCLUSION CAN BE REACHED: SIX. THE SIX CASES WHICH CAN BE SUSTAINED INVOLVE COMPLAINTS OF AUTOMOBILES IMPOUNDED AFTER ARREST OF OWNER. OF THE OTHERS, FIVE WERE ALLEGATIONS OF SMALL AMOUNTS OF CASH OR IDENTIFICATION TAKEN, ONE INVOLVED ALLEGATION THAT SEVERAL HUNDRED DOLLARS HAD BEEN TAKEN.

G) EXTORTION BY ATTORNEY: OF THOSE ARRESTED DURING THE PERIOD MAY 16 TO SEPTEMBER 15: ONE. (1) OF THOSE ARRESTED PRIOR TO MAY UNCLASSIFIED

UNCLASSIFIED

PAGE 03 TIJUAN 00527 270037Z

16 WHO HAD COMPLAINTS FILED DURING THE PERIOD MAY 16 TO SEPTEMBER 15: NONE. (2) NONE (3) NONE (4) NONE. THE ONE CASE INVOLVED ARREST OF SUBJECT BASED ON WARRANT ISSUED IN SAN LUIS RIO COLORADO IN HERMOSILLO'S CONSULAR DISTRICT. SUBJECT COMPLAINED AGAINST LAWYER WHO FILED WARRANT.

H) DURING THE PERIOD MAY 16 TO SEPTEMBER 15: NONE

I) OF THOSE ARRESTED PRIOR TO MAY 16 WHO HAD BEEN INCARCERATED FOR MORE THAN ONE YEAR AS OF A DATE BETWEEN MAY 16 AND SEPTEMBER 15: (1) FIVE (2) NONE (3) FIVE (4) ONE WAS SENTENCED TWO DAYS AFTER EXPIRATION OF ONE YEAR PERIOD, ONE WAS SENTENCED ONE MONTH AFTER, ONE SENTENCED SIX MONTHS AFTER BUT SUBSEQUENTLY RELEASED ON BAIL. TWO STILL NOT SENTENCED AND HAVE NOT REQUESTED CONGEN TO PROTEST DELAY. KENT

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: REPORTS, ARRESTS
Control Number: n/a
Copy: SINGLE
Sent Date: 26-Sep-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977TIJUAN00527
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770351-0001
Format: TEL
From: TIJUANA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770920/aaaaaqtc.tel
Line Count: 110
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: d3c6ae3d-c288-dd11-92da-001cc4696bcc
Office: ACTION SCS
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 77 STATE 212651, 77 MEXICO 9337
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29-Dec-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1129509
Secure: OPEN
Status: NATIVE
Subject: ARRESTS: REPORT TO CONGRESS: PL 94329
TAGS: CASC, CARR, MX, US
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/d3c6ae3d-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009